RESULTS *of* MINNESOTA'S LAWS *for* PROTECTION *of* CHILDREN BORN OUT *of* WEDLOCK

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MILDRED DENNETT MUDGETT

SUBMITTED IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE DEGREE OF DOCTOR OF PHILOSOPHY IN THE FACULTY OF POLITICAL SCIENCE, COLUMBIA UNIVERSITY

(Reprint from U. S. Department of Labor, Children's Bureau, Bureau Publication No. 128, Illegitimacy as a Child Welfare Problem, Part 3: Methods of Care in Selected Urban and Rural Communities, Washington, 1924)

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RESULTS OF MINNESOTA'S LAWS FOR PROTECTION OF CHILDREN BORN OUT OF WEDLOCK.

MILDRED DENNETT MUDGETT.

INTRODUCTION.

Minnesota's illegitimacy legislation has attracted wide attention because it represents a comprehensive state-wide program for dealing with a social problem that is as old as civilization itself. The Minnesota law embodies the latest developments of social philosophy on the problem up to the time when it was enacted in 1917.

More intensive work for unmarried mothers and their children has been and is being done by private organizations elsewhere, but the experience of this State in the public administration of such work on such an extensive scale is unique and affords an opportunity to judge whether the time has come for further social legislation in this field.

The progress in legal control of illegitimacy has already been described in the publications of the Federal Children's Bureau [1] and in Professor Mangold's monograph "Children born out of wedlock," [2] both for the United States and for European countries. Intensive studies of small groups have been made by the Boston Bureau of Social Case Work, and by Kammerer [3] and several others. The records of the child-welfare boards in Minnesota, though they do not as yet represent highly efficient case work with individuals, indicate what can be accomplished through a volunteer organization in the education of the general public to a social point of view. Data obtained from a study of these records help to define Minnesota's problem, and it is hoped that they will shed light not only on the working of the law itself but on some of the fundamental causal factors involved in the problem of illegitimacy.

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[1] Children's Bureau Publications No. 31, Norwegian Laws Concerning Illegitimate Children; No. 42, Illegitimacy Laws of the United States and Certain Foreign Countries; No. 66, Illegitimacy as a Child-Welfare Problem: Part 1; No. 75, Illegitimacy as a Child-Welfare Problem: Part 2; No. 77, Standards of Legal Protection for Children Born Out of Wedlock.

[2] Children Born Out of Wedlock: A Sociological Study of Illegitimacy, with Particular Reference to the United States, by George B. Mangold, Ph. D. University of Missouri Studies, Vol. III, No. 3.

[3] Kammerer, Percy Gamble: The Unmarried Mother; a Study of Five Hundred Cases. Introduction by Dr. William Healy. Little, Brown & Co., Boston, 1918.

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The following are illustrations of questions that have arisen in the minds of many interested persons and for which answers are sought in this study:

What are the strong features of the act?

What are the chief obstacles to enforcement of the law?

In what proportion of the cases is paternity officially established?

Are the adjudged fathers really paying for the support of the children?

Have extradition proceedings been successful?

How does the operation of the law insure justice to the man when more than one man has been involved?

Has there been an increase in forced marriages?

What proportion of the girls are found to be feeble-minded?

What proportion of the girls come from rural communities, and in what proportion of cases does conception take place in the country?

How do racial, national, or traditional attitudes on sex questions affect the problem?

How can volunteer social workers be trained and supervised so that their work will be really constructive?

The evidence on which answers to these questions might be based has been secured by a careful study of the records of all unmarried mothers in the State who came to the attention of the Minnesota Children's Bureau in the year 1921. Besides the evidence afforded by the 1,385 case records studied, the author has had the advantage of frequent conferences with the individuals most closely associated with the enforcement of the law, and through attendance at regional conferences of the county child-welfare boards throughout the State she has had opportunity to discuss the problem directly with the members of many of these boards.

The problem of illegitimacy is so closely bound up with all the forces affecting child life that it is fitting that the illegitimacy law should be a part of a larger body of legislation designed to protect all children. The problem has a direct relationship to public health, dependency, mental defect, delinquency (both adult and juvenile), and standards of sex morality.

It is not solved merely by enforcement of the illegitimacy statutes. There must also be protection for all children who are in danger of becoming delinquent. For this purpose community training is necessary, and this is best brought about through the child-welfare boards.

CHAPTER I. ILLEGITIMACY LEGISLATION IN MINNESOTA.

HISTORY.

The Minnesota law to establish the paternity of children born out of wedlock is so closely related to several other laws pertaining to child welfare that it is impossible to evaluate the paternity statute without explaining the supporting legislation and the way in which this whole group of laws came into existence.

Work of child-welfare commission.

Prior to 1917 the child-welfare laws of Minnesota, in common with those of the other States, were haphazard and inadequate. Each of the two preceding legislatures, those of 1913 and 1915, had been petitioned by social workers to appoint a commission for study and revision of the laws then in existence, but had disregarded the request. In August, 1916, the newly formed committee on social legislation persuaded the governor to appoint such a commission. The child-welfare commission did not have time before the convening of the legislature to make a complete codification, in the sense of assembling into orderly sequence all the laws relating to children, although in the case of the juvenile court act its consolidation of several laws practically amounted to codification. The work of the commission resulted in the formulation of 41 bills which were presented at the 1917 session of the legislature. The legislators enacted 35 of the proposed measures, which thus became effective January 1, 1918.

Of these 35 laws those covering the supervision of maternity hospitals and children's homes, the adoption laws, the statutes concerning such sex offenses as abortion, assault, and carnal knowledge, the vital statistics law, and the law regarding penalties for the abandonment of minor children may be considered as supporting illegitimacy legislation. Lacking control of the usual channels through which illegitimate children disappear, the State would find it difficult to carry out its purpose, stated in the illegitimacy statute, " to safeguard the interests of illegitimate children and secure for them the nearest possible approximation to the care, support, and education that they would be entitled to if born of lawful marriage."

The assumption by the State of responsibility for the welfare of illegitimate children has a sound economic basis. Each year in

Minnesota 1,000 or more children are born out of wedlock. Handicapped from the start by being deprived of normal home life, this group in succeeding years adds thousands of individuals to the already heavy burden of dependents maintained by the State. The fact that a remedy has not been sought earlier is doubtless due to the close association of the problem with a double standard of morals and a traditional reluctance to discuss sex problems.

PROVISIONS.

Method of establishing paternity.

The procedure established by the Minnesota law whereby the burden of support for a child born out of wedlock is placed on the father consists of four definite steps: The complaint, the preliminary hearing, the adjudication, and the order for support.

The complaint is made in writing, under oath, by the unmarried mother herself, either before or after confinement, accusing the alleged father of the child. It is made either to a justice of the peace or to a clerk of the municipal court, who then issues a warrant which may be executed anywhere within the State. The complaint is filed and further proceedings are held "either in the county where the woman resides or in the county where the alleged father resides, or in the county where the child is found if it is likely to become a public charge upon such county." This is one of the strong features of the law, because sometimes a girl who would be unwilling to take the necessary steps for the establishment of paternity in the small town where she is well known, can be persuaded to do so if the proceedings can be held in one of the large cities. In many cases a girl illegitimately pregnant is brought into the city for confinement and the complaint is made there either before or after the child is born. Then, since the warrant may be served anywhere in the State, the man can be brought to the city for trial. As a matter of fact this is not often done, because the counties of Hennepin and Ramsey (including Minneapolis and St. Paul) have so many illegitimacy cases of residents to handle that the county attorneys do not like to prosecute cases in which the girl, or perhaps both of the parents, live in another county. If conception took place outside the State and the man has never been in Minnesota legal action can not be taken.

The attitude of one county attorney has been to refuse a warrant to any girl who admits relations with more than one man either six weeks before or six weeks after the probable date of conception. A more just policy is in force in a county where a putative father who declares the girl is promiscuous is required to name all the men he knows to have been implicated. Each one of these men is inter-

viewed by the agent of the child-welfare board. In this way the evidence is sifted so that the county attorney has a better basis for determining whether a complaint should be entered. In the smaller communities especially, the leading people, the officials charged with law enforcement, and sometimes even members of the child-welfare boards, believe that a case should never be brought to court if the girl admits relations with more than one man.

The action to determine paternity is not criminal in substance: it seeks to establish a status, and is therefore civil in its essential purpose. It is criminal in form only because of the peculiar nature of the charge. For this reason the constitutional guaranty of a public trial in criminal cases should not apply. When the warrant has been served and the man is brought into court the justice or the judge examines "under oath the complainant and such other witnesses as may be produced by the parties respecting the complaint." This testimony is put into writing and may be read at the later hearing, which provides against a change of testimony by the girl or the man.

An important section of the act provides for privacy at the preliminary hearing. The judge "may at his discretion, and at the request of either party shall, exclude the general public." The importance of keeping curious auditors out of such a hearing, especially in a small town, can easily be understood. The only trouble is that the law does not go far enough. The general public should be excluded from the jury trial in district court as well as from this preliminary hearing, for the ordeal of testifying in such a case is so severe that few girls will endure it even though they are convinced that the future welfare of the child requires the establishment of paternity. A bill to secure this privacy in the district court hearing was rejected by the 1921 legislature, but many judges are voluntarily clearing the court room in paternity trials.

If the man is unwilling to plead guilty and the evidence indicates his guilt the judge binds him over for district court, the security being not less than $300 nor more than $1,000. When a man is unable to give this security he is committed to the county jail to wait until the district court convenes. If the court is in session, arrangement is usually made to have the trial at once. The man is permitted at any time to change his plea to "guilty."

A situation which frequently confronts court officials is that in which a man is willing to pay $200 or $300 in order to keep the matter quiet, but is unwilling to acknowledge paternity. The traditional method has been to accept the amount offered, but the Minnesota Children's Bureau has fought this policy from the first. Whenever such agreements have unwittingly been entered into by the girls, after showing the illegality of such settlements the bureau has tried to secure legal ones.

The proceedings in district court may be continued from one session to the next if the girl is unable to appear or for any other sufficient reason, "the recognizance remaining in force until final judgment." At the time of the trial the testimony taken by the justice or the municipal-court judge in the preliminary hearing and at that time put in writing is read to the jury if the defendant so demands. If the jury finds him guilty or if he so pleads he is adjudged the father of the child and thenceforth is "subject to all the obligations for the care, maintenance, and education of such child, and to all the penalties for failure to perform the same, which are or shall be imposed by law upon the father of a legitimate child of like age and capacity." Such wording of the statute permits of liberal interpretation and allows for any improvement which may be made in the laws regarding desertion and nonsupport of legitimate children.

The records of court proceedings are not open to anyone other than the parties concerned except by order of the court.

Procedure for securing support.

As soon as the man is adjudged the father of the child, judgment may be entered against him on behalf of the county for any confinement expenses of the mother or for the support of the child up to the time of the trial, in case these expenses have been borne by the county, and likewise judgment for the costs of prosecution. If the man can not pay these immediately, a stay may be granted by the court on adequate security; if he fails to pay them during the stay, he is committed to the county jail until he pays or is discharged by law.

After he has been in jail for 90 days he may petition for discharge, stating his inability to pay and attaching to his petition "a certified statement of all his property, money, and effects whether exempt from execution or otherwise." At the hearing any of the parties interested may produce evidence as to his ability to pay. If it is proved that the man has no property, the court may as a condition of discharge require him to pay in monthly installments in accordance with his earning capacity. The discharge is not final, and the man may be brought in at a later date if it can be shown that he is then able to pay.

The final step is the order for support, which is made by the judge of the district court before whom the proceedings to establish paternity were held, at the time of adjudication, or later, provided due notice has been given to the State board of control or to the duly appointed guardian of the child. This procedure is in accordance with a change in the statute, enacted in 1921. Originally the settle-

ment was made with the State board of control or the child's guardian. The present method carries more dignity, since the man can be brought in for contempt of court if he fails to pay, and is also a quicker method; but under this method the size of the orders is likely to be influenced by the tradition of small settlements in illegitimacy cases. This drawback is probably overbalanced by the increased cooperation of judges and district attorneys which has been evident since the change.

Naturally, the size of the order is conditioned somewhat by the financial circumstances or earning capacity of the father, but the significant fact about it is that the payments, if monthly, continue until the child is 16 years of age. The amount is usually $15 per month; it frequently runs as high as $25 monthly, but never lower than $10. Sometimes the order is for $12 or $15 for the first year or two and then for $18 or $20 until the child is 16 years of age. Many of the orders read "until further order of the court," so that if unusual expenses are incurred for the child on account of illness or if the father's financial circumstances improve the order may be increased. The judge may order the man to take out a life-insurance policy (usually for $1,000) in favor of the child or to deposit a bond in order to insure payments.

The State board of control discourages lump-sum settlements, as they are likely to be for inadequate amounts; if such a settlement is made, $2,500 is considered the minimum which should be accepted. As much as $3,000 has been received in several cases, and one settlement was for $5,000. When the law was first passed, the effect was like the explosion of a bombshell; no one had ever heard of paying $3,000 for the support of an illegitimate child; but gradually the communities are becoming educated to it and more nearly adequate support is being secured.

Special provisions.

Another point of procedure under the new law which has been contested is the question of guardianship of the child. The traditional procedure was to appoint either the mother or a relative as guardian. This is still possible, but the State board of control advises against it, since in the majority of instances, and particularly in case of a lump-sum settlement, the money may not be spent for the child. The procedure permitted by law and urged by the State board of control is to make the board the guardian of the child, or to order that the money be paid to the local child-welfare board, leaving it to the latter to advise the mother regarding the expenditure. Frequently when an order of $15 per month is made the child-welfare board persuades the mother to put $5 each month into a savings account for the later use of the child.

In case the court order is not made at the time of adjudication, the mother may secure from the father her necessary expenses for maintenance for eight weeks before confinement and eight weeks after; if the child was stillborn, the burial expenses; and all doctors' bills for both herself and the child. This provision constitutes a large factor in securing adequate prenatal and confinement care for the mother. If the mother knows she can recover these expenses or the maternity hospitals and homes are reasonably sure of being paid, the chances for proper care of both mother and child are greatly increased. It is also provided by an amendment to the law adopted in 1921 that the expenses of confinement care given to an unmarried mother by a private individual may be included in the support order. This is a remarkably liberal interpretation of the term "support"; it is unusual to find any expenses included in a court order except a specified monthly amount exclusively for the support of the child.

Two or three other possible complications are provided for by the law. Usually it is arranged that the complaint be made by the mother, because if she can not be persuaded to take this step she would very likely prove to be an unwilling witness in the prosecution; but if the girl is ill or lives so far from the county seat that it is impossible for her to take a trip before confinement the law allows a member of the county board or a representative of the State board of control to apply by complaint to have the case considered. In that event the justice or judge of the municipal court may summon the girl and examine her before he issues the warrant. The procedure is the same thereafter except that the complainant may require the girl to serve as a witness. The important consideration involved is that the justice may waive the examination of the girl and issue the warrant immediately if there is danger that the man may leave the State. This is an interesting assertion of the right of the State to act in behalf of the child whether or not the mother is willing to have paternity established.

The final step in the establishment of paternity is the action of the clerk of the district court in notifying the State registrar of vital statistics of the name of the adjudged father and such facts as may be necessary to identify the birth record. If the judgment of paternity is later vacated the State registrar must be notified. A vital statistics law permitting the father's name to be recorded would arouse great opposition if such records were open to the public. Protection of these records is secured by a law which prohibits the disclosure of the records to anyone except the parties concerned or the State board of control, except by order of the district court. A violation of the act constitutes a misdemeanor punishable by a fine of

not more than $100 or imprisonment in the county jail for not more than 90 days.

The Minnesota law does not permit the child to take the father's surname,[1] as does the North Dakota act, but the benefit derived from the latter action may be questioned. Inasmuch as the child usually lives with his mother, if his surname differs from hers her position is made more conspicuous.

If the parents of an illegitimate child marry after the birth of the child, the child is legitimatized. If the father sends to the State registrar of vital statistics an affidavit stating that he is the father of the child and that he has married the mother of the child, and files with the affidavit a certified copy of the marriage certificate, the establishment of the child's right of inheritance from the father is thereby facilitated. A bill under consideration in the 1923 session of the legislature would permit the child to inherit from his father if paternity had been established. He can inherit from his mother whether she marries or not, but unless the parents marry each other he does not inherit from the kindred of either parent.

Abandonment laws.

Of all the supporting legislation for the illegitimacy statute, the law regarding desertion is perhaps of greatest value. In Minnesota abandonment of any minor child constitutes a felony for which the offender may be punished by five years' imprisonment. Nonsupport is considered only a misdemeanor, but a father found guilty of nonsupport may be required to furnish a bond guaranteeing payment for a period determined by the court, not to exceed five years. These provisions do not apply in the case of the illegitimate child until paternity has been established; but according to a special statute a putative father of an illegitimate child is considered a felon if he leaves the State during the pregnancy of the mother or within 60 days after the birth of the child, provided the child lives, if it is proved that he left "with intent to evade proceedings to establish paternity," since it is this intention to evade proceedings which constitutes the crime. Paternity of an illegitimate child is not a felony, and it is impossible to extradite a man except for a felony. A man found guilty under this statute may be imprisoned for two years.

It is difficult to evaluate this law, because it is impossible to tell how many of the men who are brought to trial might have left the State except for fear of the penalty which it provides. As a matter of fact, it is always difficult to persuade a county attorney to institute proceedings for extradition, unless there is clear evidence that the man in question is the only one with whom the girl has had relations.

[1] A bill to permit the child to take his father's surname if paternity was established was introduced in the 1923 session of the legislature, but failed of passage.

On the other hand, a man would normally prefer to return voluntarily and plead guilty rather than serve a prison sentence. Very often the man can not be located; and if he can, it may be impossible to prove that he left the State for the purpose of escaping prosecution. Another difficulty is that the governor of a State the laws of which do not provide for extradition in illegitimacy cases may refuse to recognize Minnesota's right to bring a man back.

Supervision of maternity hospitals and boarding homes.

The primary purpose of the supervision of maternity hospitals is to insure adequate medical care for the patients, but a secondary purpose of considerable importance is to discover illegitimate children who need the protection of the State. Many such children disappear completely each year through institutions known as "baby farms" or through careless procedure in adoption.

The law defines a maternity hospital as one which within a six-month period receives more than one woman either before confinement or within 10 days after confinement. All maternity hospitals must be licensed by the board of control, and their licenses must be renewed yearly. All births occurring in maternity hospitals must be reported to the board of control, as well as to the State department of health, within 24 hours. In addition the hospitals are instructed to ascertain and report whether the birth is to be illegitimate, in each instance doing so as soon as the woman is received, even if this is some time before confinement. This is an especially valuable provision; the sooner the social worker gets into touch with the unmarried mother the better the chances are for persuading her to keep the child. The law states explicitly that no person shall offer to dispose of the child, as an inducement to the girl to enter a maternity hospital, or advertise that he can place children for adoption. A violation is a misdemeanor and subsequent violation a gross misdemeanor. Moreover, the board of control has made a regulation that all unmarried mothers in maternity hospitals must keep their children for the first three months, and must nurse them unless a physician declares it is impossible. The board has been successful in enforcing this regulation whenever its representative has heard of the case in time. In a few instances physicians have not insisted that the mother nurse the child, even though she was able.

The supervision of dependent children is vested in the department of the State board of control which has the responsibility for unmarried mothers. The law requires the same system of supervision and licensing for children's boarding homes as for maternity hospitals, and defines a boarding home as one where three or more children under 3 years of age are received without a parent or

guardian. The homes are required to ascertain whether a child is legitimate or not, to notify the State board of control immediately when an illegitimate child is received, and to keep a detailed record of all children received or placed.

Supervision of child placing.

The danger of illegitimate children's being brought into Minnesota from neighboring States for placement or adoption is forestalled by the statute regarding supervision of child-placing or child-helping organizations. Before any child is brought into the State for such a purpose the State board of control must be notified and must approve the home in which the child is to be placed. In addition a $1,000 bond must be filed, to insure the veracity of the statement that the child is not incorrigible or unsound of mind or body and the agreement that he will be removed from the State if he becomes a public charge or a menace to the community before he becomes of age or is adopted. In case a child is removed from the State, except by a parent or guardian, the person taking him out must notify the board of control and must report at least once a year as to the location and well-being of the child until he is 18 years old.

Parental responsibility is specified in no uncertain terms, and no parent can assign his rights or duties to a child under 14 years of age except in adoption proceedings. If it becomes necessary for a parent to place a child temporarily, the person receiving the child must keep an accurate and detailed account of his history until he becomes 18 years old or is adopted.

If an institution places a child in a private home with the idea of providing a permanent home, the State board of control must be notified. The board is required to investigate the home within 90 days of such notice, and to continue to visit the child until he is adopted. If the home is unsuitable the board may order the child's transfer.

Adoption.

When the present adoption laws first became effective there was considerable protest against an investigation of the family history of persons wishing to adopt a child. The right of the State to take such action is based on the principle that "the State is the ultimate guardian of all children who need what they can not provide for themselves and what natural or legal guardians are not providing."[2] The child is obviously unable to decide whether the home is suitable, therefore determination of this matter becomes the duty of the State.

[2] Report of Minnesota Child Welfare Commission, 1917, p. 9.

Petitions for adoption are made to the district court of the county in which the petitioner resides and must be signed by his wife if he is married and by the superintendent of the State public school for dependent children if the child is a ward of that institution. As soon as the petition is received by the court the State board of control must be notified. This body then fully investigates the case and makes recommendation to the court. According to the regulation in force no petition is to be granted until the child has been in the home six months, but the district court may waive this regulation. The court may also dispense with the investigation.

In the case of a legitimate child the consent of both parents is necessary to adoption, except when a parent has abandoned a child or is insane or has lost custody of the child through divorce proceedings or an order of a juvenile court. In the case of an illegitimate child the consent of the mother is necessary but not that of the father, unless paternity has been established or acknowledged: in that case the father is served with a notice of the hearing for adoption three weeks in advance. In requiring the consent of an unmarried mother to the adoption of her child the State has recognized and protected her right. The juvenile court act states that an illegitimate child may be considered a dependent child, but the Minnesota Supreme Court has ruled that an illegitimate child may not be taken away from his mother on the ground of dependency alone. As long as a girl keeps herself fit to bring up a child and makes an effort to care for her child, no one has the right to deprive her of him.

The rights of those adopting a child are protected by an interesting provision whereby the adoption may be annulled within five years if the child develops feeble-mindedness, epilepsy, insanity, or venereal infection "as a result of conditions existing prior to his adoption," or had any such defect at the time of adoption without the knowledge of the adopting parents. The State board of control is extremely careful to give adopting parents whatever information it can obtain as to the heredity of the child. The rights of the adopting parents are also protected by a statute making the records of the proceedings confidential between the persons concerned and the State board of control. The information can be given to other persons only by order of court.

It is easily seen that the enforcement of these supporting acts concerning adoption and the supervision of maternity hospitals, boarding homes, and child-placing organizations will in many instances lead to the establishment of paternity. Frequently an unmarried mother is confined in her own home or some private home and no notice of the birth reaches the board of control. If there were no legal regulation of placements and adoption, it would be a fairly

simple matter in such cases for the mother to give the child away in such circumstances that all trace of the child's real history would be lost and chances of dependency would be greatly increased.

Laws regarding sex offenses.

Certain laws relating to abortion and other sex offenses have a very real bearing on the problem of illegitimacy.

It is necessary to define carefully the legal responsibility of the man in a case of attempted abortion. If either the girl or the child dies as a result of abortion, unless it was performed in order to save the life of the girl or child, the person who assisted the girl to produce abortion is guilty of manslaughter in the first degree. Under similar circumstances the woman, unless she is a minor, is guilty of manslaughter in the second degree if the child dies. It is exceedingly difficult in cases of this sort to secure evidence or convictions, but the child-welfare boards are beginning to realize their duty to push such prosecutions. In one instance the girl was unwilling to testify against the doctor because it was impossible to prove that she was a minor.

It has been contended that a law to establish the paternity of illegitimate children will tend to increase abortion, on the ground that the girl will employ any possible means of escape from the necessary court action. As a matter of fact, case records bear evidence that many attempts at abortion have been prevented by securing the girl's early admission to a maternity home and by assuring her of continued interest and assistance.

Criminal charges in illegitimacy cases are usually brought under the statutes covering carnal knowledge rather than under those regarding rape, because it is easier to prove the girl's age than to prove that her resistance was forcibly overcome or that she was threatened with violence or was drugged. The carnal knowledge statute fixes the age of consent as 18 years, but grades the severity of the penalty according to the age of the girl. If she is under 10 years of age the man is imprisoned for life; if she is between 10 and 14 years of age, his sentence is not less than 7 nor more than 30 years; and if she is between the ages of 14 and 18 years, the sentence is not more than 7 years in State prison nor more than 1 year in county jail.

In the administration of this carnal knowledge act, it is interesting to observe, the courts do not wish even to issue a complaint if the girl is rather large and well developed and might easily be supposed to be 18 years of age, although her birth certificate proves she is younger. A strict enforcement of the carnal knowledge statute would, of course, tend to reduce the violation of very young girls and in this way reduce the illegitimacy rate.

The law is further strengthened by the act which makes indecent assault on a girl under 14 years of age a felony regardless of whether she consents.

In 1919 a law was enacted declaring a single act of intercourse with an unmarried woman to be fornication, the penalty for which is three months' imprisonment or a fine of $100. Prior to this legislation the defendant in a paternity case could usually get several of his friends to swear they had had relations with the girl, and very frequently this testimony would cause his release. Now a man is very careful about admitting relations, since if he does so he may be prosecuted.

CHAPTER II. ADMINISTRATION.

POWERS OF GUARDIANSHIP OF STATE BOARD OF CONTROL.

Under the powers of guardianship given the Minnesota State Board of Control by the acts of 1917, not only dependent but defective, neglected, delinquent, and illegitimate children may be committed to the board by the courts. The board may make whatever disposition seems best for each child, except that it may not place a child who has not been adjudged delinquent in an institution for delinquents, and a child committed to the board as a delinquent may not be adopted. This precludes any danger that the board of control may shirk its responsibilities by placing a dependent child in a correctional institution or by allowing the adoption of a child who because of behavior problems is in need of special treatment.

This guardianship legislation is vitally connected with the problem of illegitimacy. Often the illegitimate child is in need of the guardianship of the State, either because the mother has deserted him or because she is unfit to give him proper care. Frequently the unmarried mother herself is a very young girl with a poor home environment, in which it would be unwise to leave her, but not sufficiently delinquent according to the court's interpretation to be committed to an institution. This statute makes it possible for such a girl to be committed to the board of control and removed from the environment where she has made her mistake. The law may also be used in behalf of younger brothers or sisters of the girl who are already showing delinquent traits with which the parents are unable to cope.

Besides exercising these general powers of guardianship the board is required to assume definite obligations toward illegitimate children. As soon as the board is notified of the birth of such a child or of the pregnancy of an unmarried woman, it is authorized to take measures to safeguard the interests of the child.

The administrative organization which has been established for the exercise of these guardianship powers presents an interesting example of centralized responsibility and decentralized administration. The State board of control is held accountable for the 1,000 or 1,100 children born out of wedlock each year in Minnesota, but each of the 86 counties in the State is asked and expected to care for the illegitimate children within its bounds.

CHILD-WELFARE BOARDS.

The law provides that the initiative in child-welfare work must come from the county itself, since before any action is taken by the State board the county commissioners must pass a formal resolution requesting the board of control to appoint a child-welfare board. This action on the part of the county commissioners frequently, in fact usually, is stimulated by certain private individuals or groups in the communities who have seen the need for child-welfare work.

Appointment and personnel.[1]

The selection of appointees to the child-welfare boards was formerly made on the basis of correspondence with individuals recommended by the judge of probate, the county attorney, and representatives of certain social organizations. At present, a representative of the State board of control in each case interviews the persons recommended and inquires into their qualifications. After the representative of the State board has visited the prospective board members and has investigated their fitness for the position her recommendations are sent to the board, and formal appointments, including duly executed commissions, are sent to the members chosen. These appointments are for one year only. If for any reason the board fails to function properly, a reorganization may take place.

The law determines the personnel of the board to the extent that one county commissioner, chosen by the board of county commissioners, and the county superintendent of schools are ex officio members. Of the remaining three (in cities of the first class, five) members, two must be women. In 1922 all the county commissioners were men, but in 51 counties the county superintendents of schools were women. Among the appointive members on 68 boards 45 were men, so that men constituted 35 per cent of the total membership.

Organization and meetings.

When the boards were first organized they met very irregularly and infrequently. Now, each board is required by the State board of control to hold meetings at least six times each year and is urged to hold them monthly. Each member is required to be present at half of the meetings yearly. A member who fails to attend without adequate excuse may be asked to resign; or if the delinquent member happens to be a county commissioner, the county board may be asked to choose another representative to serve on the child-welfare board.

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[1] For a full discussion of the method of appointment, personnel, and organization of the child-welfare boards, see "Organization and development of county child-welfare boards in Minnesota," by William W. Hodson, in County Organization for Child Care and Protection, U. S. Children's Bureau Publication No. 107, Washington, 1922.

One member is chosen as chairman, and upon him rests the responsibility for calling the meetings and for presiding at them.

A position even more important than the chairmanship is that of secretary. The secretary is asked to keep accurate minutes of each board meeting and also to keep continuous records of each case discussed by the board. The fact that fairly satisfactory records are kept by many of the boards represents a real achievement. Another important duty of the secretary is the assignment of each case considered by the board to some individual member for investigation. Often the county is divided into five districts and one board member is held responsible for all the cases needing attention in a particular district. As soon as these investigations are completed the records are given to the secretary, who makes the necessary reports to the board of control and the person referring the case. The centralization of responsibility in the secretary has increased the efficiency of the boards.

The experience of the child-welfare board usually points to the need for a trained executive secretary. The law authorizes the board to appoint such a person, but the policy of the State board of control has been not to urge that action immediately except in cities of the first class. Aside from financial considerations, experience has shown that the board members gain a more sympathetic appreciation of the social problems in the county by struggling alone with them for several months. In January, 1922, 17 counties besides those containing the Twin Cities and Duluth had either full or part-time executive secretaries. In five of these counties the entire expense was borne by the county commissioners.

Relation to county nursing service.

The county commissioners may authorize the child-welfare board to supervise the work of the county nurse, and in some counties where it is impossible to employ both a nurse and a social worker the nurse serves as executive agent of the child-welfare board. There is always danger in such an arrangement that the nurse will be forced to neglect either the public-health or the child-welfare work, since the two kinds of work can not be adequately performed by one person.

In Hennepin County, in which Minneapolis is located, the nurses for the county are under the supervision of the child-welfare board but have a separate budget of $12,500.

Financing.

It is an interesting fact that the funds of the child-welfare board come from the county, although the work is supervised by the State.

The board is empowered to appoint an executive secretary and necessary assistants, and to fix their salaries, subject to the approval of the county commissioners. The necessary traveling expenses of the board members are paid out of the revenue fund of the county. The child-welfare board may present the bills to the commissioners, but the preferable method is to secure an appropriation in advance sufficient to cover the year's expenses. In counties containing cities of the first class a budget is carefully worked out, amounting in Hennepin to $12,900, in Ramsey to $11,500, and in St. Louis County to $5,000. The experience of 10 other counties up to May 4, 1921, showed the maximum expense, exclusive of the salary of an executive secretary, to be $150 per year.

Sometimes a peculiar local situation, either political or social, makes the formation of a board very difficult, though a full-time paid agent is obviously needed in the county to cooperate with the State board of control in the fulfillment of its duties toward children. In such a situation the judge of the juvenile court may appoint an agent, usually known as a probation officer, at a salary fixed by the judge with the approval of the county commissioners. An agent thus appointed, or an executive secretary of a child-welfare board, may be directed by the county commissioners to serve as probation officer or truant officer or to assist in the investigation and supervision of county allowances to mothers. The determination of whether the agents shall perform these duties rests with the judge of probate and the county superintendent of schools, rather than with the county board of commissioners.

STATE CHILDREN'S BUREAU.

The phrasing of the statute which gives the State board of control the right to supervise the local child-welfare boards permits of a very liberal interpretation. The act of 1917 charges the board with the responsibility of enforcing all laws for the protection of children and "to take the initiative in all matters involving their interests" when adequate provision therefor has not already been made, leaving the method of procedure to be determined by the board, and authorizes it to create a bureau for the administration of these functions, appointing and fixing the salaries of a chief executive officer and such assistants as shall be deemed necessary to carry out the purposes of the act. The Minnesota Children's Bureau was organized accordingly with an executive officer known as director. For nearly two years after the law became effective the bureau's regular staff consisted of only three people. One worker had the responsibility for all work with unmarried mothers and their children, an-

other supervised the maternity hospitals and children's institutions, and the third had charge of all investigations of adoptions and placements and of the bureau's work for feeble-minded children. With such a limited staff there was little opportunity for detailed supervision of the child-welfare boards, 26 of which were created in the first five months of 1918.

It was impossible to appoint anyone to the particular task of helping the counties to organize and of instructing them in the enforcement of the laws, until the fall of 1919, when such an appointment was made. At that time a supervisor of the work for the feeble-minded was also secured. The present organization was not effected until one year later. In May, 1920, the director of the children's bureau submitted to the board of control a plan for dividing the State into five districts, ranging in size from 15 to 19 counties each. For each of these districts there was to be a field representative, who would try to visit each county at least once in three months. The field representatives were to be responsible to a field supervisor who would correspond with the boards, help field representatives plan their work, and give advice on all difficult case problems. The proposed plan was accepted by the board and became effective in the fall of 1920.

This scheme of organization meant a new policy in the administration of the law. Up to that time the emphasis had been entirely legal. The appointment of a case supervisor marked the application of the social case-work method to the problem of unmarried mothers and their children. The supervisor chosen is an experienced case worker, and most of the field representatives have had some kind of previous experience in social work, although only one has had training with a family-welfare agency.

Work of district representatives.

The field representatives plan to visit each county at least quarterly, but when a board has just been organized it is advisable for the representative to attend every meeting for the first few months. With 15 or 20 counties to supervise this is not easy to do. In the 15 counties in which no boards have been organized the field representatives, in addition to stimulating the local interest in organizing a board, have to do whatever case work is absolutely necessary. Field representatives in their rural work have to cover great distances and travel long hours. For example, in one case it takes two days to go from the southern to the northern part of a county 150 miles in length, because of the poor train connections. A delinquent girl who is under the supervision of one of the boards lives on an island

40 miles from shore. In order to reach one unmarried mother it is necessary to go 75 miles by train, 20 miles by trolley, 20 miles by stage, and 6 miles by livery.

Obviously, the field representatives have too large territories to cover. The budget for the biennial period 1923–24 presented to the legislature recognized this fact and provided for one more field representative. It is too early yet to predict whether or not the appropriations committee of the legislature will grant the increase in the budget.

CHAPTER III. THE COMMUNITY'S RESPONSIBILITY.

The Minnesota illegitimacy law was enacted not because the people as a whole wanted it but because a few individuals saw the need for such legislation. In order to secure the enforcement of the law it has been necessary to educate a great many people to see it. The social workers in the larger centers of population realized the especial need of illegitimate children for the protection of the State, but it was an entirely different matter to make the mass of people throughout the 86 counties of the State aware of it. The lack of understanding of the problem in the rural and semirural sections was quite natural; prior to 1918 the responsibility for the illegitimate child was shifted in large part from these districts to the city, since the unmarried mother often left her home town in order to escape criticism, and, in many instances, to dispose of her child.

The task of the Minnesota Children's Bureau in enforcing the new legislation has been to make the counties see that they are not relieved of responsibility for the unmarried mother and her child by a mere change of residence on her part. The burden of support for the child still falls upon the general public, and is met through taxation if not through voluntary contributions to child-caring institutions and organizations. The problem to be solved, then, is in part economic. How can the burden of the support of the illegitimate child be placed on the child's own parents? The Minnesota statute answers this question, but the social phase of the problem remains to be dealt with. The traditional policy of socially ostracising both the mother and the child has not been successful in reducing the number of illegitimate children. How can the people of Minnesota be convinced of this fact and persuaded to adopt some other policy? They must realize, first, that when the legal procedure for establishing paternity has been completed and the necessary support has been ordered from the father, the solution of the problem has only been begun. The task of fitting these two individuals into the social order is one which requires the services of the community, in addition to those of the State board of control and of its deputies, the members of the child-welfare boards.

In the enforcement of illegitimacy legislation the whole approach to the problem must be rationalized. The communities must learn that the problem of the illegitimate mother and child must be faced calmly and considered in a great many different aspects—physical, mental, moral, and social. The causes must be studied and the con-

science of the community aroused to responsibility for removing the causes.

The charge may be made that so much attention to the unmarried mother and child will cast reflection upon the marriage law by encouraging an attitude of skepticism toward the necessity of marriage. This might be true if merely the legal technicalities were fulfilled; but the social treatment which should be given every unmarried mother will guard against such an interpretation of the statute.

In fact, no feature of the work conducted by the child-welfare boards is more important than the expected contribution to preventive methods. Among other aspects of the problem it is necessary to make every community see the relationship between illegitimacy and education, mental defect, mental hygiene, recreation, dependency, and economic opportunity.

EDUCATIONAL AND SOCIAL FACTORS INVOLVED.

Inadequacy of school facilities.

Three very serious problems facing the rural schools of Minnesota which have an indirect bearing upon illegitimacy are transportation, attendance, and standards for teachers. The transportation problem is especially serious in the less thickly populated portions of the State, especially where there are wide stretches of uncleared land and swamps, and has been only partially met by arrangements in some counties for transportation of school children at public expense or for allowance from public funds toward the expense of boarding rural children in town during the school year. The question of attendance, also, is more acute in the rural and semirural than in the city schools. The parents of a country boy may keep him out of school from April 1 to November 1, if he is needed to help at home, in many cases without incurring a suitable penalty. The problem of standards for teachers, particularly in the smaller schools, has been intensified by the shortage of suitable applicants for teaching positions.

Mental defect.

The relationship between mental defect and illegitimacy is more easily understood than the relation between low educational standards and delinquency and for that reason, perhaps, has sometimes been overstressed. At the same time, in most rural communities the state of public intelligence regarding mental defect is still woefully vague; great confusion exists as to the distinction between feeble-mindedness and psychopathy; and general practitioners without any special training are considered able to diagnose either mental defect or mental disease.

Recreation.

The importance of adequately supervised recreation as a factor in the illegitimacy problem can hardly be overemphasized. In Minnesota legal restrictions have been placed on dance halls and pool rooms, but these statutes are imperfectly enforced. In most of the counties ideas on recreation have not exceeded the repressive stage. The great amount of commercialized recreation offered by the communities includes very little that is wholesome. The task of supplying constructive suggestions rests with the child-welfare boards.

EDUCATING THE COMMUNITY.

Efforts to further enlightenment on these subjects have been made by the Minnesota Children's Bureau both through the district representatives and through the local board members. The educational process started, necessarily, with the county officials and the people chosen to serve on the boards. While a few of these persons had had previous experience in social work, for example in the home-service work of the Red Cross, the majority had not at the time of their appointment given much thought to social problems. One of the most effective methods of education has been to have a trained worker from the children's bureau investigate thoroughly a particular case in which the board is interested and if necessary carry it through court. The concrete example of how the matter should be handled teaches more than many textbooks. In such an instance the judge, the county attorney, and the county board often see for the first time the real need for the statute.

Community understanding is best developed through addresses and talks. The children's bureau has made a great effort to comply with all requests for speakers, even in 1918 and 1919, when the staff was so limited that it was impossible to reach all parts of the State. Informal explanations of the new child-welfare laws given before clubs and churches undoubtedly increased the demand for organization of boards. Newspaper publicity has been more difficult to arrange, because the confidential nature of the work prevents the use of case stories which illustrate the law most vividly. Some newspaper material has been prepared by the children's bureau and some of the larger, more active boards have had their annual reports published. Probably more newspaper publicity could be secured if each board possessed one member who would write an article each week on some phase of child-welfare work, making the application local so far as possible without using identifying information. Book reviews and abstracts from pamphlets or articles, also, would be valuable.

Two counties have circularized their school-teachers, asking that all school children needing the services of the child-welfare board

be reported. The county superintendent of schools, being an ex officio member of the board, has an opportunity to explain the nature of the work at the teachers' institute usually held in the fall or to the individual teachers on the occasion of visits to schools throughout the county. Two county child-welfare boards have circularized the physicians and asked their cooperation in reporting unmarried mothers as early as possible in the period of pregnancy. If the physicians could all be convinced of the value of reporting such girls to the child-welfare board immediately the chances for effective case work would be greatly increased. In one county the cooperation of the township representatives has been sought. This would be especially valuable in all counties where the poor relief is drawn from the township rather than from the county.

In the project of educating the communities as to standards of child welfare, it is of course necessary that the officials responsible for the enforcement of the child-welfare laws and the members of the child-welfare boards act as leaders. With this in view the State board of control has been authorized to call an annual conference of these people. This conference is held at the same time and place as the State conference of social work. In addition, the children's bureau has held regional conferences throughout the winters of 1921–22 and 1922–23, in which the representatives of four or five counties have met for two-day sessions to discuss the case problems with which they are struggling. These conferences were organized on the plan of two discussion sessions, usually limited to board members and officials, and one open meeting in which an attempt was made to interest the whole community in child welfare. The conferences have been fairly well attended by both men and women, although in most of them the board members are still somewhat afraid to take part in open discussion.

A slower but perhaps more effectual method of reaching the boards is to arrange for a special discussion on the day when the district representative meets with the board. Since the aim of the children's bureau is to have each board visited at least quarterly, one session each might be devoted to the discussion of (1) the feeble-minded, (2) county allowance, (3) illegitimacy, and (4) adoptions. One difficulty is that attendance at the conferences and travel to and from them would require more time than the majority of board members could afford. Anything less than a day's discussion of any of these subjects would scarcely make an impression. Perhaps the next step in the educational process will be the development of correspondence courses to supplement the visits of the district representatives.

CHAPTER IV. OPERATION OF THE LAW.

The Minnesota illegitimacy law was passed with the avowed purpose of securing for the illegitimate child as nearly as possible the same rights and privileges as had been or might be obtained for the legitimate child. This involves recognition of financial responsibility by the father and adjustment of child and mother in the community of which they are a part. To realize the purpose of the law in full it is necessary that the organization which administers it reach each unmarried mother and father and obtain in each case all the facts which may contribute to the understanding of the problem and its solution.

The gathering of all information necessary to the proper treatment of a case of illegitimacy is made difficult at present by the attitude of the public. In many communities interviews with the father and mother and constant supervision to see that they fulfill the intent of the law are resented. The idea back of a law which seeks to remove the stigma of illegitimacy is revolutionary. The complete enforcement of such legislation can not be secured until public opinion has been educated to the point of demanding enforcement. At present the work of education is largely in the hands of volunteers who can not devote all their time to it. Any progress shown in a better general understanding of the problem of the unmarried mother and her child must be counted as success in the operation of the law.

RESULTS OF STUDY OF CASES HANDLED IN 1921.

Proportion of cases being reached.

A comparison of the number of cases of illegitimacy dealt with by the children's bureau with the number recorded by the State board of health in each year of the four-year period beginning with 1918, when the law became effective, affords a basis for judging the extent to which the former is covering its field. The board of health can not report illegitimate births directly to the children's bureau; in order to protect the records and insure complete registration of the illegitimate births, both the board and the local registrars of births are forbidden to disclose the fact of illegitimacy without an order of court.

Illegitimate births recorded by State board of health:		Illegitimacy cases recorded by children's bureau:	
1918	1,039	1918	782
1919	910	1919	891
1920	1,000	1920	1,113
1921	1,190	1921	1,385

Direct comparison between these two groups of figures can not be made. A birth may occur in one year and the case be reported to the children's bureau in the following year; or a pregnancy reported to the children's bureau may not result in a report to the State board of health because of abortion or miscarriage. In 1921 miscarriage or abortion occurred in 39 of the cases handled by the children's bureau. In 74 others the girl left the State before confinement or returned to it after the birth of the child, so that the birth was not recorded in Minnesota. In 65 cases which came to the attention of some child-welfare board the girl married before the birth of the child, making the birth legitimate. Of the cases included in the children's bureau records for 1921 there were 71 in which confinement did not occur until 1922, and which were therefore recorded by the State board of health as 1922 cases, and 50 more in which the birth occurred before 1921, the data were not stated in the records, or the child was considered legitimate because born while the mother was still living with her husband.

When these cases are deducted from the number reported by the children's bureau in 1921 the remainder is 1,086. A comparison of this figure with that of illegitimate births reported to the board of health, 1,190, indicates that a large proportion of the cases occurring in the State were coming under the supervision of the bureau. Since the bureau is especially careful to see that the child-welfare boards verify the registration of all births, it is unlikely that any children's bureau cases fail to be recorded in the State board of health.

A comparison of the two sets of data by counties shows that in 18 counties the figures agree; in 18 counties the child-welfare boards had more cases, but in 50 out of 86 counties the State board of health had more.

Interstate and international migration.

An accurate account of the interstate migration of unmarried mothers will never be secured until studies similar to this are being made in all the States. The need for such a study is shown by the figures as to the mothers' residence before confinement. Of the entire 1921 group 30 per cent (428 out of 1,385) came from outside Minnesota, the greatest number from Wisconsin. Such a situation complicates Minnesota's problem. Not so many unmarried mothers leave the State after confinement as enter before confinement. The cases of the latter group are very difficult to handle, since in the majority of them the man is in the State from which the mother has come and paternity can not be established in Minnesota. In addition, if a mother from another State is found to be mentally defective it is often difficult to secure custodial care for her in her own

State. She has to be persuaded to return to her own town and the matter has to be reported to the proper State officials. She may leave the train before reaching her home town if she senses the danger of commitment, or if she is a resident of a rural district her own State may have no means of providing for her commitment. In such a case she may remain at home, become pregnant again, and again return to Minnesota for confinement.

For example, in December, 1920, a 19-year-old junior in high school came from a Wisconsin farm to Minneapolis and gave birth to an illegitimate child. The alleged father was a resident of Wisconsin, so no legal action could be taken, and the girl returned home with the child. In May, 1922, she returned to Minneapolis and gave birth to an illegitimate child by a different man. If there had been a State organization in Wisconsin which could have supervised her after her return, perhaps the repetition could have been avoided.

Such supervision is especially needed by girls whose home influence is poor. Such was the case of the oldest of a family of 10, of whom 2 were feeble-minded. The paternal grandfather was diagnosed as having manic-depressive insanity and the maternal aunt was deaf and dumb. The girl herself was illegitimate. When her baby was a few months old she returned to her own State, leaving the child dependent in Minnesota.

The international aspect of the illegitimacy problem is shown in the 21 cases treated during 1921 of Canadian girls who came to Minnesota for confinement. One of these girls returned to Canada, leaving her child at board with a woman in a rural county of the State, who is very fond of the child. The mother wishes the child to be adopted. The alleged father is in Canada and has been sending money for the child's support, but refuses to make legal acknowledgment of paternity. The home where the child is boarded is not a proper one for adoption; consequently, should the alleged father choose to stop paying board, the State of Minnesota would be required to care for a dependent child whose parents were completely evading responsibility, although well able to assume it.

The greatest number of cases from outside Minnesota come from the adjoining States and Canada. The figures for 1921 are as follows: Wisconsin, 153; North Dakota, 102; South Dakota, 64; Iowa, 43; Canada, 21; and Illinois, 19. Several, however, came from far distant places—2 from Oregon and California, 1 from New York, and several from Norway, Sweden, and Scotland. In a few instances deportation has been possible, but too often the case does not come to the attention of the officials until it is impossible for the girl to travel. Then the child can not be deported because he is an American citizen. In one case a 17-year-old girl and a 31-year-

old married man were deported to Canada before the birth of the child. In another a 17-year-old girl who came from Norway was deported after the birth of the child and the child was left in Minnesota to be adopted.

Difficulty of enforcing responsibility of counties.

The enforcement of the illegitimacy law involves the forcing back upon each community of the responsibility for the delinquency of any of its residents. Now that the isolation of the rural districts is being broken down by better means of transportation, closer social relationships should be developed.

In dealing with illegitimacy the cities have endured a double burden for so long that the smaller communities feel helpless when called upon to cope with the problem of the adjustment of the unmarried mother and her child. The mother is very likely to want to stay in the city with her child after confinement or to leave the child when she returns home. It is, of course, very difficult to persuade a girl to return and face her friends and her critics with her child, and in many cases this would not be desirable. On the other hand the danger of allowing an unmarried mother to remain in a strange city, especially if she gives up her child, is so great that other expedients must be sought. If the local board members could find time to interview all the near relatives of the girls, more resources of helpfulness might be revealed; or two or three adjoining counties might arrange for an exchange of girls, placing them in new communities but keeping them under supervision and also removing them from the stimulation of city life. The problem of illegitimacy is one which concerns every county in the State, although in 1921 one county did not appear in the illegitimacy records of the children's bureau and the statistics of the State board of health showed no illegitimate births for five counties.

Increasing scope of work.

The efforts of the child-welfare boards to carry out the purpose of the law are causing a rapid growth in the number of their cases. The boards of the cities where are found the greatest number of trained paid workers are so overwhelmed with their case load that they are unable to care for the girls to the best of their knowledge. An unmarried mother and child cease to be subject to the supervision of a child-welfare board only when they both leave the State, when the mother gives up the child through court proceedings or marries the father of the child, or when the child dies. In September, 1922, 538 of the cases for the year 1921—less than half—had fallen into these four classes. This means that 847 were still under treatment in Minnesota nine months after the year closed,

and were likely to continue under treatment for some months or years. If this is the situation during the fifth year of the enforcement of the law, it is easy to see that a tremendous increase in case load must be expected in the future.

On September 1, 1922, 2,610 unmarried mothers were under active treatment by the children's bureau and the child-welfare boards. Of this number, 976 had come to the attention of the bureau during 1922; the remaining 1,634 were women whose cases had arisen during the first four years of the bureau's existence. The division of these cases according to the years in which they were reported shows the growth of the bureau's work.

Number of cases of unmarried mothers.

1918	89	1920	457
1919	241	1921	847

Undoubtedly more of the 1918 and 1919 cases should have remained active, but they had to be closed because of inadequate staff.

Development in methods of recording cases.

The information which the child-welfare boards have regarding most of their illegitimacy cases is quite inadequate, but it is not to be expected that these records will compare with those which are being written now in the family-welfare societies of the cities. They may more justly be compared with the records of city organizations 10 years ago. Although case-work methods have been standardized to a considerable extent in the last decade, the child-welfare boards outside the cities can not be expected to achieve that standardization until they have passed through a process of development similar to the experience of the city organizations. It is impossible to superimpose standards of investigation and case-record writing on volunteer organizations whose members can not devote their entire time to the work. The surprising feature of the records of the Minnesota child-welfare boards is the progress which has been made. The 1921 records for the entire State were first read for this study in January, 1922, and were reread in September of the same year. During the first reading a marked improvement was observed in the treatment of the December, 1921, cases as compared with those opened in January of that year. That this improvement has been steady and continuous was clearly apparent from the rereading of the records in September, 1922; at that time they contained much added information and revealed many improved methods of treatment. Interest in securing information about illegitimacy was stimulated by sending to the child-welfare boards throughout the State copies of the schedule on which the data for this study were being

collected, with a request for their assistance in securing as much information as possible about this group.

Social data.

With all its incompleteness this information has revealed an array of facts regarding the social background of the girls and men which is of immense value to a proper understanding and treatment of the problem.

Ages of girls and men.—A consideration of the ages of the mothers is important because the problem is of one sort if the unmarried mothers are very young girls and entirely different in character if they are women of mature years. A like distinction can be made with reference to the fathers. Ages under 18 years were given by 246 girls, but by only 51 men; ages between 18 and 21 years by 499 girls and 210 men. In other words, 59 per cent of the unmarried mothers who were cared for by the child-welfare boards in 1921 were under 21 years of age, as contrasted with 23 per cent of the fathers.[1] Practically none of the girls' ages have been verified, and according to experience the chances are that even more girls belonged to this age group. There were 363 girls and 438 men between the ages of 21 and 25, and in the group over 25 years the men exceeded the girls by 387 to 147. The evidence strongly supports the conclusion that unmarried mothers come largely from the younger and immature age groups, but that the fathers are usually mature men, and is a sufficient answer to the accusation that this illegitimacy law merely protects "designing women" in enforcing their claims.

The need for verification of ages is especially evident in the cases of girls under 18, in which criminal prosecution should be made.

Early history.—The results of this study confirm the findings of other similar studies in showing that a large proportion of unmarried mothers come from broken homes. The figures are as follows:

Mother dead	119
Father dead	141
Both parents dead	75
Parents divorced	40
Parents separated	27
	[2]402

In addition to these statistics on the marital status of the girls' parents, questions as to family conditions revealed many cases of abnormality. In 27 families some member other than the girl was obviously feeble-minded; in 24 some member was found to be insane;

[1] Based on numbers for whom ages were known.
[2] Or nearly 30 per cent of all.

epilepsy was present in 4; and in 90 some member other than the unmarried mother had been delinquent.

The 1921 records are full of family histories like the following: The family lives 3 miles from town. The girl's father, who is a section hand on the railroad, beats his wife and periodically deserts her. There are nine children younger than the 19-year-old girl who is an unmarried mother. The girl accepted a settlement for $200 from the man's attorney without consulting the children's bureau. (There is no child-welfare board in this county.)

Another girl's father, a 60-year-old laborer who cuts ice for a living, has been a heavy drinker. Of this family of 14 children 9 are living. The 14-year-old daughter, who has just borne an illegitimate child, has had relations with boys since she was 8 years old. The paternity of her child could not be established because of promiscuity. Two 13-year-old boys and one 15-year-old boy were involved. An 11-year-old daughter is still in this home.

The size of the family, in connection with its economic status, frequently constitutes a social problem in itself. The numbers of girls known to have come from families of six or more were as follows:

Number of children in family.	Cases.
6	28
7	58
8	44
9	41
10	41
11	23
12	19
13	8
14	8
15	4
16	2
17	1
19	1
24	1
29	1
	[3] 280

The family of 29 children was the product of three marriages, and the family of 24 of two. (In the latter case the second mother was married at the age of 12 years.)

Information on the early history of the men is lacking in all but a few cases, but in these instances the poor environments found in the homes of the girls are matched. Examples are suggested by the following notes: "Man's father, section foreman. Nine children. One

[3] Or nearly 19 per cent of all.

brother blind, one brother in a reformatory, two children feeble-minded." "Man's mother, a widow with 11 children."

The fact that a large proportion of these poor homes were found in rural districts indicates that the forces which tend to destroy family life operate the same in the country as in the city, and that rural communities need family case work such as has been developed in the larger centers.

Unfortunately most of the records lack any but the slightest information as to the girl's friendships, the part of her life which is most important outside of family life. Almost every girl has at least one girl friend in whom she confides and with whom she shares her social pleasures. This is especially true of girls whose home life is abnormal; so that the girl friends of unmarried mothers, especially of those coming from poor homes, are one of the social worker's most valuable sources of information.

In a few of the 1921 cases the record shows that the whole moral tone of the community is low. Statements such as these frequently appear in the records: "The girls in the factory talk of nothing but sex matters." "All the girls have relations with the boys when they go out." A thorough investigation of one unmarried mother may bring to light conditions of this sort and force the community to consider the problem.

Marital status.—The records of 1921 show that of the 847 mothers of illegitimate children at least 133 had been married. Not all the alleged cases of marriage or divorce or widowhood have been verified, and of course women not infrequently tell a story of marital unhappiness instead of stating the actual relationship in which they were living. Nevertheless the marriage of 133 mothers was verified. According to the records the group included 32 widows, 29 divorced women, and 72 women who either had been deserted by their husbands or had left their homes voluntarily. Possibly many of these marriages should never have been permitted, and many of the women may have needed help after the death or desertion of their husbands.

The records in regard to the marital status of the men show that 226 had been married, a few of them being widowers and divorced men.

Education.—According to their records, in more than half the cases the child-welfare boards knew nothing about the education of the girls. Where information was given as to the age of the girl when she stopped school and the extent of her schooling, this usually represents merely the girl's own statement and not the report from the school last attended. The extent of the man's education is mentioned in only 41 cases. It is obvious that intelligent plan-

ning for the future of the child or his parents is much more difficult in the absence of information as to the parents' education and training.

The educational statistics of the girls show that 213 had had from one to four years of high school, and that 226 more either had completed the eighth grade or were in that grade when they left school. With all due allowance for the schools where there are no ungraded classes and mental defectives are passed on from grade to grade, these facts indicate a higher mental type than that of the unmarried mother is popularly supposed to be.

Mentality.—It is of course desirable that intelligence tests be given to every unmarried mother; in Minnesota, at present, an attempt is being made to have tests given in all the obvious cases of mental deficiency. Of the 78 mothers examined in 1921, 59 had intelligence quotients of less than 80. The discouraging part of this phase of the problem is that even with a diagnosis showing an intelligence quotient of less than 60 it is frequently impossible to secure commitment because the doctors or judges or attorneys do not consider the girl feeble-minded.

The experience of the children's bureau in trying to protect some unmarried mothers who were of very low-grade mentality and in trying to save the State from further expense in supporting feeble-minded children illustrates the ignorance of community leaders on the subject of reproduction of the unfit. An example is the case of a girl 24 years old who has had three illegitimate children by three different men, the first delinquency occurring when she was only 16. According to Stanford-Binet tests her mental age is 8⅓ years and her intelligence quotient is 51. She was committed to the State board of control and placed in the State institution for the feeble-minded. The pastor of her church then tried to intercede with the board of control in behalf of the girl's family and asked for her release, feeling sure that she had now "learned her lesson" and would have no more illegitimate children.

Another girl, 19 years old, who has both syphilis and gonorrhea, gave birth to an illegitimate child who is nearly blind because of venereal infection. The girl has a mental age of 8⅔ years and an intelligence quotient of 58. The judge before whom the hearing for feeble-mindedness was held said she was not a fit subject for a feeble-minded institution, accepting the statement of the two examining physicians that she was not mentally defective. The following month the girl was married. The facts of this case show the defects of Minnesota's present method of commitment of the feeble-minded. The hearing is before a probate judge—in Minneapolis before a

court commissioner—who selects the examining physicians. It is not necessary for these men to have had any training in mental diseases, and the services of a psychologist are not provided for.

An improvement was made in the law in 1917 by having the feeble-minded committed to the State board of control rather than directly to the institution. This helps, but does not get at the root of the difficulty; the State can not do much in the way of supervision if examination and commitment are left in the hands of totally unqualified persons.

Another phase of the problem which, although it will correct itself in time, is still serious is that in the State school for the feeble-minded at Faribault there are still some inmates who were not committed by the court and who can therefore be released by the superintendent of the institution. He is privileged to have an investigation of home conditions made by the children's bureau before allowing a patient to return home, and may also demand a court commitment if the relatives become insistent in trying to secure the release of an inmate.

In the case of a 22-year-old girl who had been an inmate of the institution for 10 years, the superintendent secured a report of the home conditions and learned they were unfavorable, but instead of requesting a court commitment he allowed the girl to go home for a vacation. While she was at home her father and two other men had relations with her, and she returned to the institution pregnant. The two men were found guilty of rape, but the father was acquitted of the charge of incest. As long as it is possible for such a thing to occur, the difficulties of controlling the illegitimacy problem are almost insurmountable.

A similar case is that of a girl 22 years old, but with a mental age of 6 years, who was committed to the State institution just before the present law went into effect. She was allowed to return home, and within a year gave birth to an illegitimate child. The jury was unable to establish paternity, because so many men were involved. The girl was recommitted to the institution, but as a result of political pressure was again paroled. The education of the community in which the girl lives must be accomplished by showing them the increased taxation which will result if girls of this grade of mentality are not safeguarded.

The present method of commitment is even more unsatisfactory in the case of the insane than in that of the mentally defective. One woman, who was committed to a State hospital for the insane in 1918, was paroled and then recommitted. Although her first parole was a failure, she was again paroled, and in a year's time gave birth to an illegitimate child. All she could tell about the father of the child

was that his name was "Jim." She had met him on street corners and in parks. Her child had to be committed to the State school as dependent. Her relatives promised to return her to the State hospital as soon as cold weather came, asserting that she was "better in the summer time." This last statement disagreed with the known facts of the case.

The history of another woman who gave birth to an illegitimate child at the age of 34 years shows the results of one method of dealing with illegitimacy and insanity. Her mother died when she was very young and her father when she was 16. At the age of 17 she was compelled by the administrator of her father's estate to marry a man by whom she had become pregnant. He never supported her or their four children. After 12 years of cruel treatment by him she was committed to a State hospital for the insane as a case of manic-depressive insanity. Three years later she was paroled, but did not return to her husband. She soon became pregnant and was returned to the institution. No information could be secured about the father, and the child had to be committed as a dependent to the State school.

Health.—Very little was recorded about the health of the girls except some very obvious facts. The maternity homes and hospitals in the cities require tests for venereal disease at the time of admission, and since most of the girls are confined in these places the reports on venereal disease are probably fairly complete. Only 125 girls were found to be diseased. As soon as a girl is found with venereal infection the State board of health tries to locate the men who have been exposed to infection by her, but frequently they are out of the State or deny having had relations with the girl. The children's bureau records show only 18 men diagnosed as having venereal disease, but owing to the incompleteness of information regarding the men this figure has but slight significance.

Mention is made of a few cases of tuberculosis among both the men and girls and a few cases of epilepsy. Information on previous illnesses, medical care, and physical defects is entirely lacking.

Occupation.—An attempt has been made to list the occupations of both the girls and the men at the time of conception rather than before or after, in order to discover any evidence that the conditions of employment have a causal relation to the problem. The statistics regarding employment of the girls agree with those of studies previously made; the group for whom occupation was reported included 422 girls (30 per cent) engaged in housework, 140 waitresses, 109 factory workers, 96 clerks, 62 telephone operators, 55 stenographers, 55 students, 31 teachers, and 30 chambermaids. The remaining occupations reported include those of usher, elevator operator, nurse,

milliner, seamstress, and workers in laundries, bakeries, and hospitals. For nearly 300 girls the occupation was not reported.

Housework and the occupation of waitress naturally absorb the unskilled, poorly educated girls, but in addition it seems that the physical fatigue associated with both occupations may result in a desire for highly stimulating recreation which finds expression in patronizing the public dance hall. Moreover, both occupations afford many opportunities for girls to meet undesirable types of men. In many instances a case had its origin on some remote farm where both girl and man were employed or in the restaurant of a small town where traveling salesmen stopped for their meals. The telephone operators, clerks, and factory workers were mostly city girls; the teachers were usually girls from rural districts who had only eighth-grade certificates and had perhaps attended one summer session at normal school. The seriousness of this problem among rural school-teachers can hardly be overestimated.

The occupational figures for the men show 167 farmers, 82 railroad men, 68 traveling salesmen, 63 truck drivers, and 31 clerks in stores as the principal occupation groups. These figures are so incomplete as to be of little value, but the occupations mentioned suggest that the majority of the men concerned came from among the semiskilled and the unskilled. There are no reports of interviews with employers except a few held by children's bureau representatives and some of the trained workers. In the rural districts the board members do not yet see the need for such interviews, and the child-welfare workers in the cities do not have time for them.

Other social facts.—Scarcely any answers were given to the questions in regard to sex education. In the statements as to when and where they met the men the automobile ride home after a dance was often mentioned. Both in the city and in the country many of the girls first met the men at public dance halls.

The fact that 300 girls admitted relations with more than one man and that 128 had had more than one illegitimate child shows that many girls had not come to the attention of the child-welfare boards soon enough, and in some instances that the case work was not thorough when they did come. Of the 128 repeaters 98 have had two illegitimate children, 18 have had three, 8 have had four, and 4 have had five. In most of these cases the girl had been relieved of the responsibility of previous children either through death or adoption or by relatives.

The sex history of the men as given on the records is largely a statement of attitude toward the girl and toward the circumstances attending her pregnancy. A small minority admitted paternity and

wanted to marry, but the majority either advised abortion, if they admitted paternity at all, or asserted that the girls were promiscuous. They either tried to settle for a small sum or disappeared as soon as they learned of the girls' condition. Sometimes they married other girls, hoping thereby to escape responsibility.

The child-welfare boards in the cities have been very slow to take advantage of the mass of social information about their clients which is available through the Confidential Exchange or Central Registration Bureau. The confidential character of the work has been used as a defense, but the real reason for the failure has been the lack of trained workers on the boards. As the work is developing throughout all the counties the need for a State registration bureau is becoming increasingly urgent. In fact, a clearing house is needed for all the State departments dealing with families or individuals. At the present time one member of a family may be at the State sanatorium for tuberculosis, another may be in a reformatory or prison, and some children may be at one of the State schools, and one State department may have no idea of the plans of another State department for the family. The different officials confer occasionally, but there is no central record system and not even a registration system which will inform each department of the interest of other departments.

TREATMENT OF CASES HANDLED IN 1921.

Legal action.

Cases involving girls under 18.—If criminal prosecution had been started in every one of the 246 cases in which the girl gave her age as under 18 years, the success of the law would have been more nearly assured. Instead, there were only 52 prosecutions, of which 26 were won, 17 were pending at the time of the study, 2 were dropped when the girl married, and 7 were lost. There are many reasons for the nonenforcement of the law. As has been mentioned, the girl's appearance as to physical maturity influences the action of the county attorney even in allowing a complaint to be entered. In the second place, the girls and their parents are often reluctant to make charges when conviction would mean that the man would be imprisoned. The development of public opinion in favor of the enforcement of this portion of the law is proving to be the most difficult task of all, and yet such enforcement will prove undoubtedly one of the most effective means of reducing the number of cases of this type.

In cases in which the men concerned were under 21 years of age there have been several convictions. When the men are actually sent to the reformatory such action has a wholesome effect; but many times the sentence has been suspended and boys have been placed on

probation where there has been no trained probation officer to supervise them.

The following cases illustrate some of the difficulties in administering the law:

The parents of a 16-year-old girl refused to prosecute the 26-year-old man who was involved. Inasmuch as the baby died, one of the members of the local child-welfare board thought it was "better to ignore the gossip."

The mother of a 13-year-old girl was divorced from the girl's father and remarried, just before being confined, to a man who was reported to be responsible for the girl's pregnancy. The daughter was committed by the juvenile court to the home school for girls; but when her stepfather appealed the case she was placed on probation and allowed to stay at home, although she could not be supervised by a trained probation officer. The stepfather was allowed to adopt the illegitimate child.

A 17-year-old girl was the oldest of nine children. Her father had a violent temper; her grandmother, a midwife, allowed the home to remain in a filthy condition. After the girl was confined three of her brothers were given suspended sentences for carnal knowledge. When the case was last observed the grandmother had charge of the baby and the girl was staying out at night until 1.30 a. m.

A 16-year-old girl could not return to her home on account of her stepmother's objection, so she and her baby were sent to the home school. Three boys and one married man were sent to the reformatory on account of their relations with her. A fourth boy was allowed to go free because he stated that he wanted to marry her. He has failed to do so and will be brought in at the next term of court.

A 14-year-old girl was sent to the home school because her mother, a tuberculosis patient, had been deserted by the girl's stepfather and could not care for her. The father of the child was sent to the reformatory and eight boys were given suspended sentences.

The establishment of paternity.—The following list shows the results of paternity proceedings for the year 1921, action being taken in 463 cases, or 33 per cent of the total:

Total	463
Applications for complaints dismissed by the county attorney	18
Complaints on which no action has been taken at time of study	153
Preliminary hearings in municipal or justice court	45
Charges dismissed in district court	16
Men plead guilty	192
Men found guilty after jury trial	39

These numbers may seem to indicate a small proportion of successful prosecutions under a law which has been in operation for four years. The success of the law can not be measured entirely in terms of prosecutions. One verdict of guilty returned in 1921 was the first verdict of its kind in an illegitimacy case ever won in open court in ——— County. The man was defended by one of the best-known criminal lawyers in the State. He was found guilty and was ordered to pay $15 monthly until the child was 16 years old, besides $89 for confinement expenses. He declared he would appeal the case if he had the money, but 10 months later was found to be paying the order regularly.

An illegitimacy case successfully prosecuted in another county was the first that had been tried there in 18 years. The defendant was a middle-aged man 25 years older than the girl and worth about $140,000. The jury found him guilty and ordered him to pay $25 monthly. Ten months later he was brought into court for contempt and forced to pay the arrears of the order. In both these instances one of the field representatives of the children's bureau was present and assisted at the hearing. Such an action always encourages the local child-welfare board and is instructive to the county attorney.

Court orders for support.—Court orders for support were entered in 162 cases. The discrepancy between this number and the 231 cases in which paternity was established is explained by the death or commitment of the children or the marriage of the parents. When the statute regarding court orders was amended in 1919 to allow the court to fix the amount of the order, there was some apprehension on the part of those charged with the administration of the law lest the size of the orders would be reduced. Whether such has been the result could not be determined without a study of the orders made previous to 1919; but in 1921 the figures indicate that $15 a month until the child became 16 years old was the amount usually ordered. Only 2 orders were for less than $10 per month, and 43 for either $10 or $12; 72 were for $15 or $18, and 31 required payment of $20. There were 12 orders for $22.50 or $25 and 1 requiring the man to pay $30.

Some attempts have been made to protect these payments, but not much has been accomplished. Four men were required to give bond to insure payment and one other man furnished a $1,000 bond, when paternity was established, to guarantee that the child would not become dependent before he was adopted. In five instances the man was required to carry $1,000 insurance in favor of the child.

In seven cases the court ordered an increase in payments after the first year either from $10 to $15, from $18 to $20, or from $20 to $22.50. The children's bureau has urged the judges to make the

orders read "until further order of the court," so that if any unusual expenses arise for the child and the father is financially able to meet them he may be required by the court to do so. Many of the judges are following this suggestion.

Payment of orders.—The next question likely to be raised is whether the men are really paying the orders. Information on this point was available in regard to only 55 men; of these, 26 were paying regularly and 29 were being prosecuted for nonsupport. A reason why it is especially important that men who are delinquent in payment be brought into court and forced to pay is that many people who do not see the justice of the new legislation continue to argue that a small cash settlement is better than a court order for continuing payments. If more of the court orders could be protected by a bond, the old argument would lose much of its force.

Extradition.—The group studied includes only a few cases in which the law in regard to the extradition of a putative father was enforced. However, in spite of difficulties involved in the enforcement of this law, men were in 1921 returned from New York, Colorado, Iowa, Wisconsin, and Washington. The men have not been given penal sentences but have either made lump-sum settlements or been required to give bond (in one case to the extent of $3,000) to insure payment of the order. In one case the prosecution was dropped after extradition because the girl married another man.

Settlements.—The attitude of the Minnesota Children's Bureau has been to oppose lump-sum settlements, because of the tendency to make the sum far too small, and, what is far more serious, the inelasticity of such an arrangement. If the financial status of the father changes or a special need arises for the child, it should be possible for the court to order an increase in the amount of payment. On the other hand, most court officials argue that a smaller sum in cash is preferable to a mere promise to pay a larger sum. The bureau has considered $2,500 the minimum amount which should be accepted as a lump-sum settlement, but in only 2 cases out of 26 was so large an amount secured. In the 18 settlements effected without the approval of the bureau the amount ranged from $175 to $1,300, except in two cases settled outside the State—one for $2,000 and one for $3,000—and in one case settled out of court for $4,000.

The lack of understanding on the part of the county attorneys of the purpose of a just settlement is most discouraging. One girl and her family accepted a $600 settlement out of court because the county attorney told them that if monthly payments were ordered by court they had to be made to the State board of control. Some settlements, however, were more encouraging. In one case of a 16-

year-old girl which was heard in the judge's chambers the man was ordered to pay $3,000 for the support of the child and $2,000 to enable the girl to continue her education.

Care of the child.

An attempt is made by the child-welfare boards to keep the mother and baby together as long as possible, unless the mother is mentally incapable of caring for the child or the child is so defective at birth that the need for permanent institutional care is obvious. If the mother has no relatives to help her in the care of the child and the chances for permanent support from the father seem slight, she may be allowed to give the child up by a court proceeding, but not before an attempt to establish paternity is made. If the child is committed to a child-placing organization, he may be placed in a private home and later adopted. If the mother marries the father of the child after his birth, it becomes the duty of the child-welfare board to explain to the father the necessity for sending affidavits of paternity to the State board of health. If she marries another man, every effort is made to persuade her husband to adopt the child.

It will be seen then that an illegitimate child in Minnesota may remain with his mother when she works at a service position or in her own home; he may be boarded or cared for by relatives; he may be committed, placed, or adopted; or if the mother marries she may be able to keep the child with her. In spite of the careful check on the disposition of illegitimate children, some disappear or are taken out of the State.

Considerable evidence points to the wisdom of having the adoptions of dependent children approved by the same State department which supervises unmarried mothers. One man who had been adjudged the father of an illegitimate child made application with his wife to adopt a child in an institution to whom they had taken a fancy. On investigation it was found that he had made no payments on the court order for the support of his own illegitimate child, so he was advised to meet this obligation before assuming any new ones. In another case, in which the mother had stated that her parents were dead and an application was made to adopt the child, the adoption petition revealed the fact that the girl's parents were well able and willing to care for both her and the child.

From the time a girl gives up her baby in court until the child is permanently located in his foster home there are three stages in the process. At the time of commitment—when the mother gives up all legal right and the child is taken by some child-placing agency—the question arises whether the father of the child, if paternity has been

established, should not be given an opportunity to take the child before he is adopted by strangers. The law requires that the father shall be notified of the adoption hearing, and in a few instances the child-welfare boards have gone one step further and have interviewed the man before the hearing. The next step in the process is placement in the foster home, and the final step is adoption.

Of the children whose cases were handled by the child-welfare boards in 1921, 194 were committed, placed, or adopted. Besides these, 95 children were boarded in private families other than those of relatives, the expense to be met by the mother, by the father, or by both, sometimes with the assistance of charitable organizations. The success of the bureau's policy of keeping the mother and child together and strengthening the natural family ties in the girl's readjustment is shown by the fact that at least 28 per cent of the children were still with their mothers or with relatives at the time this study was made. In 140 cases girls who married kept their children, and in 97 others children were taken into the homes of relatives. The child was placed with the mother in her parents' home in 146 cases, and in 42 the mother took a service position with her baby.

In 159 records no statement was made regarding placement of mother and child. As this was due in many cases to the fact that they were still in the maternity home or hospital and no plans for the future had been made, it is likely that some of these children were kept with their mothers. In the 217 cases in which the girls disappeared or left the State the chances that the babies were kept with the mothers are slighter. It is probably a conservative estimate that at least 35 per cent of the illegitimate children were kept by their mothers for from one to two years after their birth.

Treatment of the girl.

The social treatment of the mother and child is really the core of the situation. In only a few cases has the social readjustment of the girl been satisfactorily accomplished. Up to the present time the children's bureau has had more than it could do in teaching the principles of investigation. Until the child-welfare boards were trained to secure the necessary information on the girls' previous histories they were not able to plan the treatment intelligently. The next step after investigation, moreover, is much more difficult to teach and is one that not many of the workers can understand until they have had a practical demonstration.

In the absence of adequate provision of psychiatric service by the State the children's bureau has been attempting to meet the situation as best it can. Intelligence tests are given to all girls who are obvi-

ously defective or who have had more than one illegitimate child. The next step will be to have the research department of the State board of control test all unmarried mothers in the maternity hospitals of the Twin Cities.

That further education is needed by most of the girls, and especially by the younger ones, can be seen in the fact that the largest numbers of the girls who go back to work go into housework and restaurant work. Any scheme of reeducation would involve financial aid, but the expenditure would be justified by the results in prevention of delinquency and later dependency of illegitimate children.

Marriages.

Many of the child-welfare boards and superintendents of maternity hospitals have not yet seen the danger of forced marriages, and are allowing men to marry in order to escape imprisonment or paternity proceedings. In 35 cases marriage took place after the complaint had been issued or after the arrest of the man. The unfortunate aspect of the situation is that many times the girls fail to see that the apparent affection of the men is unreal and that their promises are being made for the sole purpose of escaping a penalty. In many cases the girl has been genuinely fond of the man, and when this is true she is more apt to relent in the prosecution, especially if he is unable to secure bail and will have to remain in jail for some months if she refuses to marry him. Then the relatives are apt to favor marriage on the traditional argument of "giving the child a name." These relatives and members of child-welfare boards would not be so hopeful of marriage as a solution of the girl's difficulties if they knew a little more about the results of forced marriages.

For example, a girl who had an excellent reputation was persuaded to start proceedings for the establishment of paternity. The man's attitude was one of levity until he was arrested and his father was required to furnish $200 bail. His parents were indignant because the girl had him arrested and were unwilling to pay more than $300, plus $60 for confinement. Knowing all these facts as well as the man's reputation for drinking and for working irregularly, the local officials permitted the girl to marry him even before paternity had been established. They might at least have safeguarded the economic situation in some way before allowing marriage. In a similar case paternity was established and a court order made, insured by a $3,000 bond, and the man was told by the judge that if he failed to support the girl after he married her the payment of the support order would be enforced.

A study made in 1921 at the University of Minnesota of 133 unmarried mothers who had married showed numerous failures of

forced marriage. In less than one year after the marriages took place nearly one-third of the girls who married the fathers of their illegitimate children had experienced nonsupport, desertion, or divorce. One way of preventing some of these tragedies and safeguarding the girls would be to have as careful an investigation made before the marriage took place as is required by law before a child may be adopted. This is especially necessary if the child is to be a member of the family.

The records are full of instances in which the marriages of unmarried mothers have been approved by court officials and sometimes by child-welfare board members, although the chances for a successful marriage were very meager. For example, a man who was out on bail for draft evasion and had been ordered deported became involved with a girl and was adjudged the father of her child. A few months after the court decision he married the girl. In another instance a 35-year-old man who was being held on a $2,000 bond for a carnal knowledge prosecution by a 17-year-old girl wanted to settle for $500, but owing to the efforts of the county attorney and in opposition to the advice of the child-welfare board was allowed to marry the girl before the birth of the child.

Follow-up work.

Some of the boards are fulfilling the responsibility of supervision in cases in which paternity has been established, even when the girl and baby are outside of the State. A woman 23 years old returned to her parents' home in Wisconsin with the baby after paternity had been established and an order of $12 per month made. The child-welfare board in charge of the case found that there was a county nurse near the girl's home who would be willing to supervise the expenditure of the money. Six months after the order was made the girl was receiving the money regularly and seemed to be readjusted in the community. The process had been assisted by her assuming the title of Mrs. and allowing the community to consider her married.

The legitimacy of this subterfuge may be open to discussion. In most instances the community is not deceived, especially if the girl has been there before her confinement. Often, however, the belief of the girl and her parents that the community does not know gives the girl more assurance in assuming her responsibilities. So far as the assumption of the title protects the girl from malicious gossip and the destructive criticism to which an unmarried mother is subjected, the action may be justified. The expedient, however, is probably more valuable if the girl and child are going into a new community sufficiently far from her own home to prevent meeting old friends than it would be where she is well known.

Another example of successful supervision outside of the State is found in the case of a 14-year-old girl. A 25-year-old man was found guilty of carnal knowledge, but sentence was suspended for as long as he continued to pay the court order of $20 monthly. The man's father was willing to pay $5,000 if the man might be allowed to marry the girl and a guardian be appointed for the child. The child-welfare board opposed the plan, although the judge and county attorney approved it. After paternity was established the girl's family moved out of the State. Through the district judge in the State to which they moved arrangements were made for supervision of the expenditure of the money. Six months after the order was made the man was paying regularly and the girl and baby were being well cared for at home.

Sometimes it is possible for a child-welfare board agent or member to continue friendly visiting after the marriage of the girl. In one case, such supervision had continued for a year after the marriage, which took place before the birth of the child and when the girl was only 17 years old. Such visiting is especially necessary if the home life of the girl before her marriage has been poor, as was true in this case. The girl's mother, who was intemperate and had had two illegitimate children herself, had deserted the family, and an older sister was also an unmarried mother.

Frequently the children's bureau representative in caring for an unmarried mother finds younger children in the family who are in danger of becoming delinquent. The chief difficulty in adopting any preventive measures in their behalf is the lack of social vision on the part of public officials whose assistance may be needed. It is almost impossible to make people who have not had experience in social work visualize the consequences of allowing a child to remain in a poor environment. For example, a 19-year-old mother gave birth to her second illegitimate child. Her mother, who had a poor reputation, was living with a disreputable man. A 13-year-old sister was already beginning to go out with boys. The man's attorney effected a settlement out of court of $2,000, to be paid in five years. The child-welfare board asked the judge to remove both the baby and the 13-year-old sister from the home, but he refused.

Effective follow-up work and rehabilitation of the delinquent girl depends very largely upon the completeness of the information secured in the investigation. An inexperienced worker is, however, frequently unable to grasp that point until she has had a practical demonstration. Many child-welfare board members have carried over from their earlier concepts regarding illegitimacy an idea of the problem as one enshrouded in secrecy and mystery. They are apt to feel that the case in which they are interested is unusual and must not be investigated, and that the mother's wishes must take

precedence over the rights of the child. The fallacy of this argument is shown in the story of one girl with whom this policy was followed. When she came to the hospital she said that her father had died when she was a year old and that her mother had remarried. She had one brother. She gave two aliases and was most anxious that no investigation should be made. She refused to prosecute the man or even to notify him of her condition, telling a rather improbable assault story. The authorities at the hospital believed the girl's story and persuaded the child-welfare board to refrain from investigation. When the child was a few months old the girl disappeared and left the child. The hospital authorities then reported that she had been staying out late at night and one night did not come home at all.

Much of the follow-up work with unmarried mothers is being done by other agencies than the child-welfare boards, especially in the larger cities. Most of the maternity hospitals have social-service departments which take responsibility for the aftercare of illegitimate mothers confined there if the baby dies or is committed. A similar relationship exists between the child-welfare board in Minneapolis and several private social agencies, such as the Minneapolis Bureau of Catholic Charities, the Big Sister organization, and the Minneapolis Children's Protective Society. The last-named society arranges most of the boarding care for babies of unmarried mothers, so it is more logical for that organization to supervise the girls as well.

While this divided responsibility for the reeducation of unmarried mothers relieves the tremendous pressure of the case load of the child-welfare board, there are several very serious dangers in the plan. In the first place, private philanthropy is being required to assume a burden which should be met by public funds. A more serious danger, however, is the difficulty of maintaining the necessary standards for supervision of the girls when the work is carried on by so many different agencies. The aftercare work which some maternity homes are doing for the girls consists largely of securing employment. Some of the hospitals have failed to grasp the meaning of the legislation, and instead of cooperating with the child-welfare boards in the establishment of paternity and the securing of support for the children, they are urging the girls to place their children as soon as the three-month nursing period is over.

A step in the direction of standardization of methods would be regular conferences of the child-welfare board agents and the representatives of all the other agencies concerned with the follow-up work with unmarried mothers. Such conferences are now regularly held with the Minneapolis Children's Protective Society, and other agencies are invited in from time to time.

CHAPTER V. DIFFICULTIES IN ADMINISTRATION.

Some of the problems which the Minnesota Children's Bureau has had to meet in securing community cooperation have already been stated. More perplexing ones are to be found in the scheme of administration, of which the financial problem is perhaps the most difficult. From the point of view of the taxpayers the cost may seem large, while from the point of view of one who knows social work the budget is surprisingly low.

FINANCIAL DIFFICULTIES IN SUPERVISION.

Probably the reason why the bills introduced in the legislature of 1917 met with so little opposition was that only two of them called for any appropriation. From January 1, 1918, the date on which the laws became effective, until July 1, 1918, the expense of the children's bureau was met from the general maintenance fund of the State board of control. The appropriation for the first year, July 1, 1918–June 30, 1919, was $20,000. This amount covered the salary of the director and his three assistants, clerical help, traveling expenses, printing, stationery, and equipment. The following year two assistants were added to the staff and the budget was increased to $25,000. Of this amount 40 per cent was required for traveling expenses, so it is easy to see that the salaries were not large.

The year 1920–21 was the first under the present scheme of organization: A director, a case supervisor, five field representatives, a supervisor of the feeble-minded, a supervisor of institutions, and adequate clerical help. The budget was $32,000 for that year and was increased to $35,000 for the year July 1, 1921–June 30, 1922. Traveling expenses amounted to $6,700, or only 20 per cent of the total. Only two of the five field representatives have a salary as high as $1,800. It is exceedingly difficult to secure a woman of adequate training and experience to undertake such exhausting work as that of a field representative for such a small salary.

It is interesting to compare the case load with the size of the staff. From January 1, 1918, to May 7, 1920, there was a total of 4,396 cases—an average of 162 new cases a month, or 7 a day. Such a number might not seem excessive for four people to handle if the cases were all located in the same city, but the work of the Minnesota Children's Bureau is spread over 84,682 square miles. In May, 1920, out of this total of 4,396 cases, 1,536 were still active. Four people

were trying to supervise that number of cases besides all the maternity hospitals and children's institutions.

The work developed so rapidly that in 1921 there were nearly 1,400 new illegitimacy cases to be supervised, not to mention all the feeble-minded, the adoptions, the placements, and the delinquent and dependent children. It might be possible for one case supervisor to oversee this amount of work if all the county workers were trained, skilled workers. Instead, the majority were untrained volunteers.

The financial difficulties are not limited to the budget of the children's bureau. In the business depression through which the country has been passing the farmers have suffered as seriously as any group. Therefore in a rural State like Minnesota the strictest economy in social work has been necessitated. Many communities in which public-health work was well started have had to dispense with the nurse and even with the county agent, and there has been very little opportunity to develop any new social projects like child welfare. Some of the northern counties have not recovered from the impoverishment caused by the fire and floods of 1918.

TRAINING OF PERSONNEL.

Next in importance to the financial difficulty is the problem of securing the most effective personnel for the boards and then training them at long distance. It is extremely difficult to find men and women with the necessary background and social point of view and with sufficient leisure to perform this task, and it is often difficult to keep out of the boards the type of woman who enjoys social prestige but is unwilling to do any work. Moreover, this type of work is apt to interfere with the business or professional interests of the board member or possibly of her husband. The young married woman in a small town is likely to have too many home duties to undertake the work, although she may be fitted for it by college education or by special training in social work, and the older woman may not have the physical strength to stand the long trips. In view of these handicaps it is quite remarkable that so many unusual men and women are devoting a large proportion of their time to the work without any compensation.

When a social agency in a city is anxious for volunteer service a training course for volunteers, meeting weekly throughout the winter, is advertised and the case supervisor has an opportunity to apply to this group the same methods of training as are used for paid visitors. The work of training the personnel of child-welfare boards must be done through four or five visits each year by the field representative and through correspondence. Obviously a longer period of time should be allowed in which to secure results.

The turnover in the personnel of the child-welfare boards is probably not any higher than that of other social agencies. The county commissioners all change once a year and the county superintendents change every four years; but in some instances ex officio members who have proved their interest and efficiency in the work have continued in it as appointed members.

POLITICAL DIFFICULTIES.

Another difficulty in administration is the political complications which always appear in public social work. In a problem like illegitimacy there are likely to be some men concerned who have more or less influence with the politicians. Attempts are continually being made through political influence to break down standards and make exceptions in special instances, and the State board of control and the director of the children's bureau must be constantly alert to see that all vacancies in the staff are filled by people who have real training for the position rather than by persons appointed for purely political reasons. Failure in these attempts often results in vigorous opposition to the whole law when the time comes to secure appropriations.

The county attorneys are the officials with whom the child-welfare boards have to work most closely in establishing paternity. In 1921 they were giving active support to the enforcement of this statute in 17 counties only. A small group who are more or less indifferent will act only under pressure. Sometimes the difficulty lies in the tradition of small settlements out of court, or marriage, as the simplest solution of any illegitimacy problem.

The experience with one county attorney illustrates a common situation. In 1919, he was sure the law would be abolished because the board of control wanted too much money. He thought $500 was ample, and usually appointed the mother as guardian. The child-welfare board in his county decided to do something. Each member took one unmarried-mother case and made a complete investigation; then they "bothered" the county attorney until each of these cases was listed for court hearing. He did not take time to prepare any of the cases, so when the board at the last minute offered him the results of their investigations he was very grateful. On the basis of this information he was able to win every one of the five cases, and since then there has been no difficulty in getting him to prosecute.

It is interesting to note that a man is not required to be a lawyer in order to hold the position of county attorney. In one county a banker serves in this capacity. Since the position involves so much

responsibility in administering social legislation, it is essential that a man or woman of high principles and genuine public spirit be elected. In counties where this fact is not yet realized it may well be made a part of the educational program of the child-welfare board.

The judges are the next group of public officials with whom the boards must work most closely. Paternity cases and criminal charges are brought before the district judges. In cities of the first class the juvenile courts are branches of the district court. In the counties the juvenile-court work is handled by the probate judge, with whom, consequently, the child-welfare boards need to cooperate. The complaints and preliminary hearings are under the jurisdiction of the justices of the peace in the rural districts and of the municipal judges in the cities. While it is valuable to know these men, county attorneys whose confidence has been gained will inform the board of illegitimacy cases brought before them.

A variety of types are found in the position of probate judge. Like the county attorney, the probate judge is not required to have legal training. About one-fourth of the probate judges cooperated closely with the boards and gave them advice. A number had to be urged to act, and nearly one-fourth actively opposed child-welfare work either by preventing the organization of a board or by refusing to profit by the results of the board's investigations.

The county commissioners were usually the last county officials to be convinced of the value of child-welfare work, perhaps because they have so many duties which seem more urgent. Since they are responsible for the expenditure of funds and for the levying of taxes, they are especially sensitive to the will of the people, and it is quite natural for them to be hesitant about voting money for a new project unless they are sure the taxpayers will stand for increased taxes and incidentally will reelect them. Besides this the child-welfare boards, especially those having executive agents, have not always devoted enough thought to methods of educating the commissioners as to the value of the work. For this reason the commissioners of one county of which the estimated wealth is $80,000 refused to continue the salary of an executive agent, although at the same time they made an appropriation of $2,000 for the stock industry. A better attitude is shown by some county boards. When the child-welfare board members in one county became discouraged and asked the county commissioners to disband them because the work was too heavy, the county board voted to pay for an executive secretary. This action was especially significant because the party in power in the county was not that of the State administration.

CHAPTER VI. FURTHER DEVELOPMENT NEEDED.

A plan for further development in any social undertaking may be more or less ideal, expressing the goal toward which the organization is striving, or it may consist of a few definite steps which are within the realm of possibility but conditioned by the present status of the law and by its administration.

Further progress in Minnesota depends somewhat upon the situation in other States. The obstacles which interstate migration offers to the proper treatment of cases arising in this State have already been discussed.[1] The migration problem can be properly handled only through cooperative action between States, and the essential condition of its solution is more uniformity in legislation throughout the country. The efforts of the National Conference of Commissioners on Uniform State Laws represent the most effective work in this field. If the States adjoining Minnesota had organizations making possible an exchange of cases the size of Minnesota's task would not be diminished, but the State would be spending its energies more exclusively on its own cases, and the chances for successful prosecutions would be increased because more of the putative fathers would be residents of the State in which the girl was being provided for.

CHANGES IN COURT PROCEDURE.

So far as Minnesota itself is concerned, needed improvements in procedure fall into two classes, those that affect the State as a whole and all unmarried mothers, and those which concern certain sections or portions of the State and small groups of the girls. Of changes in the first of these two classes, that most needed relates to court procedure. The ordeal to which both the girl and the man are subjected by the present method of trial in court deserves a severe indictment. Even when the judges are careful to clear the court room at both hearings the prosecution at present is an experience from which a young girl may well shrink. The whole organization of the courts for the handling of the problem of illegitimacy needs revision. It is obviously inefficient to have unmarried mothers pass through three different courts, especially when there is no central record system for all courts. The preliminary hearing, the proceedings to establish paternity, the commitment of the girl or the child, the nonsupport action against the father, should all be handled by the same judge;

[1] See pp. 206–208.

or, if this is impossible, each judge should have a complete record of all previous court action in the case. Each judge, also, should have at his command the services of a trained investigator who can secure complete social data. Such a reorganization of the courts would improve the cooperation between the child-welfare board and the court, and by a division of labor acceptable to both might relieve the child-welfare agents of some investigation, allowing them to devote more time to constructive aftercare of the girls.

During the three months' nursing period every unmarried mother should have a complete psychiatric examination. This would include more than intelligence tests—frequently the most puzzling and difficult cases are those of normally intelligent girls—and would give the agents and board members scientific judgments on which to plan the reconstruction of the girl's life. As the majority of the girls receive confinement care in the Twin Cities, it would be fairly easy to arrange for psychiatric examinations for all if there were a hospital in Minneapolis. Girls confined in the rural sections could be brought in for examination in the same way in which patients from all over the State are now brought in by the children's bureau to the hospital of the University of Minnesota. The university hospital is a State institution and the proposed psychopathic hospital would be in the same class.

Of course a mental examination of any girl after she reaches a maternity hospital is like trying to repair the dam after the flood has occurred, but it will undoubtedly be a long time before the rural communities of any State see the necessity for mental examinations of all school children before they reach the age of adolescence. If Minnesota could follow the example of Massachusetts in providing a comprehensive program of community care and supervision of the feeble-minded, many illegitimate births could be prevented.

There is also need for a change in the law regarding the commitment of the feeble-minded which will specify that the examining physicians shall have had special training in the diagnosis of mental disease or that the services of a psychologist shall be required.

MEETING THE RURAL PROBLEM.

The suggestions made so far affect unmarried mothers from all parts of the State, but since such a large proportion of the 1921 cases came from outside the larger cities (nearly 1,000 out of 1,385) the problem seems to be in large part a rural and small-town one. So many books have been written on the rural problem and so many suggestions have been offered as solutions that one hesitates to add to the collection for fear of repetition. Certain rural conditions in the State undoubtedly have a causal connection with the illegitimacy

problem, and remedies for the latter must involve a consideration of these conditions.

The administration of the rural schools, the enforcement of the compulsory school attendance law, and the training and qualifications of teachers should be improved. The school attendance law should be revised so as to make it impossible for the parents of any child living in the country to keep him out of school from April 1 until November 1 because his services are needed at home.

In one county the truancy situation was so serious in 1921 that the children for whom the schools were securing no apportionment because they were not in school 40 days throughout the school year numbered 608. In another county there was no way of discovering how much truancy existed, as no school census was kept.

These needed changes should be incorporated in the education law. The next move should be a plan to raise the educational standards for rural teachers. A plan for accomplishing this object is now being developed in Pennsylvania, where in 1927 no one will be teaching in the public schools who has not had a four-year high-school course and two years of normal-school training or the equivalent. Out of 46,000 teachers in the whole State of Pennsylvania, 22,000 were attending summer schools in 1922.

After the improvement of the rural schools in Minnesota, the next greatest need is for more constructive family case work in the small towns and rural districts. There are two possible lines of development in this field. The child-welfare boards may gradually increase their powers so as to become county-welfare boards, or in some of the more prosperous counties another organization financed from private funds may develop. In the one case the growth of case work in county after county will be dependent upon the education of the community to its need and the formation of public demand for it; in the other case the attempt will be made to intensify all over the State the efforts at case work now being made through the child-welfare boards. The extension of the powers of the child-welfare boards to include the administration of relief[2] is already under discussion, and as the law now stands the judge of probate may ask assistance of the board in supervising recipients of county allowances. It will be unfortunate if the extension of power comes to the boards before they are thoroughly grounded in case-work principles, for in the hands of the inexperienced relief is a dangerous instrument.

In one county not including any large city there is a case-work organization privately financed and separate from the child-welfare

[2] By a 1923 law the boards may cooperate in administering relief with public bodies charged with administering the relief laws.

board, and in a few other counties a fusion of interest and support has been effected between the Red Cross and the county organization. The latter usually means that the Red Cross pays for a trained social worker or nurse who is allowed to devote some of her time to the work of the child-welfare board and in some instances holds the position of executive secretary of that organization. It is too soon as yet to pass final judgment as to which method of developing family case work is the more effective. There are obstacles to both plans, but the need for the family work is so great that it is probably desirable to allow either method to develop in any given situation.

Raising the standards for the county officials most concerned with child-welfare work should have a wholesome effect toward preventing illegitimacy. If the positions of county attorney and probate judge could be filled by men with socialized legal training there would be an improvement in the matter of law enforcement. Possibly the local and State bar associations might become interested in discussing the qualifications for these two county offices and in making recommendations to the legislature. Such details of prosecution as clearing the court room in illegitimacy trials or pushing carnal-knowledge prosecutions should be cared for throughout the State as they now are in the counties where the positions of county attorney and probate judge are held by men of the highest qualifications.

Of course it is desirable that prospective county officials receive socialized legal training while they are still in the university. A start in this direction is the field work which law students at the University of Minnesota are required to do in cooperation with the Legal Aid Society of Minneapolis; but all those who are planning to practice in rural Minnesota need also the courses offered by the university in child welfare and legal protection of the child, which explain the value and organization of the child-welfare boards.

EDUCATION AND RECREATION.

A problem which concerns both rural and urban girls and demands far more time and thought than has so far been spent on it in Minnesota is the education of unmarried mothers. The case records of 1921 have shown that the majority of these girls come from the unskilled and semiskilled occupations and are therefore poorly equipped to support their children or even to contribute to the children's support. The majority of them, unless special vocational guidance is given them, drift back into the occupations in which they were employed when they became delinquents. Under

such circumstances it is not strange that many return a year or two later to the maternity hospitals for a second confinement.

The fact that most of the girls who have a second illegitimate child come from the group who were allowed to give up the first child through either placement or adoption suggests the advisability of enabling every girl who has normal intelligence to keep her baby. The usual method of accomplishing this is to place the girl with the baby in a position at general housework. The unmarried mothers of Minnesota usually spend in maternity homes the three-month period during which they are required to nurse their babies, but at the end of that period not many are physically able to stand the strain of general housework and the care of the child. The effect of fatigue upon a nursing mother is well known, and yet the service positions in which a girl can have adequate rest are very few.

An objection to housework for unmarried mothers which is more serious than the physical is the lack of companionship, especially in the hours of recreation. The average unmarried mother, 18 or 19 years old, after a fatiguing day at housework needs recreation which will not be overstimulating and which will furnish her with incentives to improve her economic condition. In a city it is easier to find the recreation than it is to find the proper companions. The unmarried mother from the small town may know in the city only the girls she has met at the maternity hospital or home. Whether the ones who are there at the time of her confinement will be safe companions for her is a matter of chance.

The two possible solutions to this dilemma are such expensive ones that they will have to be tried out by private philanthropy before the State can be persuaded to take them over. The first solution is being tried out in England at the present time. Boarding homes are being established where unmarried mothers may remain with their babies until the children are 2 years old. The babies are cared for in a day nursery, and the mothers go out to work during the day. The mothers are relieved of the added care of the children both by day and at night, and in the evening they can have supervised recreation with girls of their own age. The objection that these girls may not be the right sort of companions is partially met by the second part of the solution, which is education. Many of the unmarried mothers have had no high-school or vocational training or have not completed their high-school work. Girls not over 20 years of age are certainly young enough to profit by more education, either academic or vocational, and psychiatric examinations will reveal which ones have mental ability. The incentive to learn some trade or profession which would enable them to keep their children would go a long way toward absorbing the natural emotional excitement

of girls with sex experience. There is need in Minnesota for experiments of this sort with the most promising of the unmarried mothers. An opportunity to win back the respect of the community requires more intensive case work with each girl than the child-welfare boards have been able to perform. The failure in aftercare work has been caused in part by inadequacy of staff, but more directly by lack of vision and imagination. Further progress in solving the illegitimacy problem in Minnesota depends upon the use of such vision and imagination as will supplement law enforcement with constructive education.

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VITA

Mildred Dennett was born at Springville, New York, August 28, 1888. She entered Mt. Holyoke College in the fall of 1905 and received the degree of B.A. in 1909. From 1909–1913 she was visitor and district secretary in the Philadelphia Society for Organizing Charity. After six months of volunteer social work in Los Angeles, California, she became the first executive secretary of the Neighborhood League at Wayne, Pa. In 1914–1915 she was secretary of Greenwich District of the New York Charity Organization Society. In 1915–1916 she held a research fellowship at the New York School of Philanthropy. During this period she was a graduate student at Columbia University as well as during the summer sessions of 1915 and 1916, taking courses with Professors Lindsay, Devine, Seager, Chaddock and Giddings and a seminar with Professors Lindsay and Devine.

She married Bruce D. Mudgett (now Professor of Economics at the University of Minnesota) in 1916. During the academic year 1916–17 she was a graduate student at the University of Pennsylvania, taking courses with Professors Patten and J. Russell Smith and a seminar with Professor Clyde King. At the same time she prepared a special report on the Mothers Assistance Fund of Philadelphia.

In 1917–1918 she was a visitor for the Associated Charities of Seattle and Assistant Director of the first Home Service Institute for the American Red Cross. The following year in Washington, D. C., she was in the Foreign and Insular Division of the Red Cross and part of the time was Acting Director of Civilian Relief. During 1919–1920 she was educational director of the Northern Division of the Red Cross in Minneapolis. Since 1920 she has held the position of assistant professor of Sociology in the department at the University of Minnesota and has supervised the field work of the department.